

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW JERSEY**

ZENAIDA JACKSON,

Plaintiff,

V.

VIRGINIA JEFFERIES, et al.,

Defendant.

Civil Action No. 08-5704 (JAG)

# ORDER CLOSED

**GREENAWAY, JR., U.S.D.J.**

This matter comes before this Court on the application to proceed in forma pauperis filed by pro se plaintiff Zenaida Jackson (“Plaintiff”). Having reviewed Plaintiff’s application and the attached complaint, this Court will grant Plaintiff’s application to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915, ask the Clerk to file the complaint, and dismiss the complaint for failing to state a claim on which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

In her complaint, Plaintiff alleges “being harrassed by Virginia Jeffries [sic] and Debbie Barr,” and claims that they told her that she “[has] open Cases pending in Englewood.” Plaintiff alleges that these actions, which violated her civil rights, occurred in 1985.

Reading this complaint as broadly as possible, as this Court must when addressing claims of pro se litigants, Haines v. Kerner, 404 U.S. 519, 520-21 (1972); United States v. Day, 969 F.2d 39, 42 (3d Cir. 1992), this Court concludes that Plaintiff intends to bring a claim pursuant to 42 U.S.C. § 1983.

A plaintiff may have a cause of action under 42 U.S.C. § 1983 for certain violations of her constitutional rights. Section 1983 provides in relevant part:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory . . . subjects, or causes to be subjected, any citizen of the United States or any other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress . . .

Thus, to state a claim for relief under § 1983, a plaintiff must allege, first, a violation of a right secured by the Constitution or laws of the United States and, second, that the alleged deprivation was committed or caused by a person acting under color of state law. West v. Atkins, 487 U.S. 42, 48 (1988); Piecknick v. Pennsylvania, 36 F.3d 1250, 1255-56 (3d Cir. 1994).

Here, Plaintiff fails to provide any information which would enable this Court to determine whether the defendants are “state actors,” as required for bringing a claim pursuant to § 1983 and federal question jurisdiction. As a result, this claim shall be dismissed, without prejudice.

Therefore,

IT IS, on this 4<sup>th</sup> day of February, 2009,

ORDERED that the application to proceed in forma pauperis is GRANTED, pursuant to 28 U.S.C. § 1915; and it is further

ORDERED that the Clerk of the Court shall file the Complaint without prepayment of fees and security; and it is further

ORDERED that the complaint, to the extent it seeks to bring a cause of action, pursuant to 42 U.S.C. § 1983, is DISMISSED, without prejudice, for failing to comply with FED. R. CIV.

P. 8; and it is further

ORDERED that Plaintiff shall have 30 days from the date of this order to file an amended complaint, if she so chooses; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.

S/Joseph A. Greenaway, Jr.  
JOSEPH A. GREENAWAY, JR., U.S.D.J.